THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.20397 OF 2005

Dated 16th September 2005

Between:

K.Vinod Kumar S/o.Late K.Harinath Babu.

…Petitioner

And

The State of Andhra Pradesh, Rep. By its Principal

Secretary to Government, Health, Medical and Family Welfare(K2)

Department, Secretariat Buldings, Hyderabad and another

…Respondents

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O R D E R:

The petitioner passed Intermediate Vocational course in March 2003, and also completed the Multipurpose Health Worker Course, offered by the Board of Intermediate Education in first division. He appeared for for admission into I-Year of B.Sc.(Nursing) Course, during the academic year 2005-06. During the course of counseling for allotment of candidates to various institutions, the respondents restricted the admission of male candidates into the said course, only to the extent of 5% of the existing seats. The grievance of the petitioner is that large number of seats in various colleges are vacant, on account of non-availability of adequate number of women candidates, and that the respondents are not considering the case of the petitioner, on the ground that they cannot admit male candidates, over and above 5% of the total number of seats. He seeks appropriate direction in this regard.

Heard the learned Standing Counsel for respondent No.2 and the learned Government Pleader for respondent No.1.

The course of B.Sc.(Nursing) is studied mostly by the female candidates. However, the regulations issued by the Nursing Council of India, disclose that even male candidates are entitled to study that course. Obviously, with a view to protect the interests of the women candidates, the Government of A.P. issued instructions from time to time, stipulating that not more than 5% of the seats shall be allotted to male candidates. Such orders have neither been challenged, nor been found fault with. In fact, the petitioner also does not have any grievance about it. However, a situation had emerged, wherein there is acute dearth of female candidates, to fill 95% of the seats allocated to them. It was in this context, that the Government sought for clarification from the Nursing Council of India, as to whether the male candidates can be admitted for the said course, and if so, what is the percentage. The Nursing Council of India clarified through the letter, dated 11.02.2005, that the course can be studied by male or female candidates, and that their admissions need not be restricted to any percentage. In several writ petitions, filed by the concerned institutions, it is directed that if seats remain vacant in various institutions, on account of lack of women candidates, those seats shall be filled by the male candidates.

For the foregoing reasons, the writ petition is disposed of, directing that the respondents herein shall consider the case of the petitioner, for admission into I-Year of B.Sc.(Nursing) Course, against any existing vacancies, without restricting the admissions of male candidates to 5%. There shall be no order as to costs.

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16th September 2005

Note: Issue C.C. by tomorrow.

(B/o)

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